

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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ARISTA RECORDS LLC; ATLANTIC  
RECORDING CORPORATION; BMG MUSIC;  
CAPITOL RECORDS, INC.; CAROLINE  
RECORDS, INC.; ELEKTRA  
ENTERTAINMENT GROUP INC.;  
INTERSCOPE RECORDS; LAFACE  
RECORDS LLC; MAVERICK RECORDING  
COMPANY; SONY BMG MUSIC  
ENTERTAINMENT; UMG RECORDINGS,  
INC.; VIRGIN RECORDS AMERICA, INC.;  
WARNER BROS. RECORDS INC.; and  
ZOMBA RECORDING LLC,

Plaintiffs,

v.

USENET.COM,

Defendant.

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Case No. 07-civ-8822 (HB)

**PLAINTIFFS' MOTION TO STRIKE OR, IN THE ALTERNATIVE, TO DISMISS  
COUNTERCLAIMS**

Pursuant to Fed. R. Civ. P. 12(f), 12(b)(6), and 12(b)(1), Plaintiffs Arista Records, *et al.* ("Plaintiffs") respectfully move to strike, or in the alternative to dismiss, the counterclaims asserted against them by Defendant Usenet.com, Inc. ("Defendant"). This motion is supported by the attached memorandum of law.

Dated: June 4, 2008  
New York, NY

/s/ Gianni P. Servodidio

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**CERTIFICATE OF SERVICE**

I hereby certify that I caused to be served a true and correct copy of the foregoing Plaintiffs' Motion to Strike or, in the Alternative, to Dismiss Counterclaims, on the following Counsel for Defendant, by Electronic Mail and the Court's ECF Filing System:

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Date: June 4, 2008

/s/ Gianni P. Servodidio

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